

COUTY OF DEL NORTE

PERSONNEL POLICY AND PROCEDURE  
DRUG FREE WORKPLACE

ADOPTED BY THE BOARD OF SUPERVISORS

June 22, 1992

I. PURPOSE

It is the intention of this policy to eliminate substance abuse and its impairments in the work place. Del Norte County does not want to intrude into the private lives of its employees. It must be underscored, however, that involvement with drugs and alcohol can take its toll on job performance and employee safety. The County's objectives are that employees be in a condition to perform their duties safely and effectively, in the interests of their fellow workers and the public, as well as themselves. The presence of impairing drugs and alcohol on the job, and the influence of these substances on employees during working hours, are inconsistent with these objectives.

Employees who think they may have an alcohol or other drug usage problem are urged to seek confidential assistance, voluntarily from the County's Substance Program or other competent professional help. While the County will be supportive of those who seek help voluntarily, the County will be equally firm in identifying and disciplining those who continue to be substance abusers and do not seek help.

Illegal drug use is unsatisfactory conduct, which may subject the abusing employee to criminal prosecution. The policy of the County of Del Norte is that alcohol or other drug abuse will not be tolerated and disciplinary action, up to and including termination, will be used as necessary to stop such abuse. All employees will be encouraged to become involved in the promotion of a safe and productive work site environment. All employees and officials will be educated regarding this policy.

The County Drug and Alcohol Abuse Policy provides guidelines for the detection and deterrence of alcohol and other drug abuse. It also outlines the responsibilities of county department heads, supervisors and employees. The County shall act to eliminate any substance abuse, whether alcohol, illegal drugs, prescription drugs or any other substance which could impair an employee's ability to safely and effectively perform ability to safely and effectively perform the functions of the particular job, which increase the potential for accidents, absenteeism, substandard performances, poor employee morale or damage to the

County's resources and reputation. All persons in or seeking positions covered by this policy may result in discipline, up to and including termination, or not being paid.

In recognition of the public service responsibilities entrusted to the employees of Del Norte County and that drug and alcohol usage can hinder a persons ability to perform duties safely and effectively, the following detailed policy against drug and alcohol abuse is hereby adopted by Del Norte County.

## II. POLICY

It is County policy that officers, employees and volunteers:

- A: Shall not be under the influence of alcohol or other impairing drugs while on duty;
- B: Shall not manufacture or possess alcohol or other impairing drugs while on County property or at work locations or in uniform;
- C: Shall not manufacture, sell, or provide alcohol or other impairing drugs to any other employee or to any person while such employee is on duty:
- D: Nor have their ability to work impaired as a result of the use of alcohol or other drugs when reporting for work.

Policy statements A through C in the preceding paragraph are intended to apply to Sheriff Department personnel. Except when necessary or required as part of a specific job assignment during the course of a criminal investigation. Under these circumstances, no Sheriff's employee will consume alcohol to the extent that mental or physical capabilities are impaired.

While use of medically prescribed medications and drugs is not per se a violation of this policy which could interfere with the safe and effective performance of duties or operations of County equipment may result in discipline, up to and including termination. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using such medications or drugs, clearance from a qualified physician may be required.

Department heads and supervisors shall not physically search the person of employees without the freely given written consent o and in the presence of the employee. All searches must be reported to the Personnel Officer.

The County reserves the right to search, without employee consent, all areas and property in which the County maintains control. Managers and supervisors should

notify their Department Head or designee when they have reason to believe that an employee may have illegal drugs in his or her possession or in an area not jointly or fully controlled by the County. If the Department Head or designee concurs that there may be illegal drug possession, the Department Head or designee shall notify the appropriate law enforcement agency.

### III. COUNTY RESPONSIBILITIES AND GUIDELINES

This policy will distributed to all current employees upon its adoption and will be provided to all newly hired employees with their "New Employee Packet."

When a supervisor reasonable suspects an employee to be under the influence of alcohol or other drugs, the supervisor shall prevent the employee from engaging in further work and shall detain the employee until he/she can be safely transported from the work site to their home or other appropriate location.

Suspicion of under the influence of a substance means that the employee's motor senses (i.e., sight, hearing, balance, reaction, and reflexes) or judgements are affected. Some of the factors which may indicate impairment are the following:

1. Slurred speech;
2. Alcoholic beverage odor on breath;
3. Unsteady walking and/or movement;
4. An accident involving County property, where it appears the employee' conduct is at fault;
5. Physical altercation; non-job related;
6. Verbal altercation; non-job related;
7. Possession of alcohol and/or other drugs

The County is committed to providing reasonable accommodation to those employees whose alcohol or other drug problem classifies them as handicapped under federal and/or state law or when the employee voluntarily recognizes that they have an alcohol or other drug problem and is seeking professional counseling. Reasonable accommodations shall be determined after consultation with the appropriate professionals.

When in the opinion of the Department Head and supported by complaint or observation it becomes obvious that an employee is suffering from alcohol or other drug abuse the following immediate corrective measures shall be taken:

1. The employee shall be advised of the suspected abuse and given the opportunity to present his/her views and urged to discuss the problem and the solution.
2. The employee shall be urged to seek professional help on his/her own initiative.
3. As a last resort, the employee may be placed on a paid or unpaid administrative leave dependent on circumstances, pending enrollment and participation in an alcohol or other drug abuse rehabilitation facility. Enrollment may be inpatient or outpatient depending upon recommendation of the appropriate professionals. Further, unless the alcohol or other drug abuse problem is determined to be work related, the cost of the rehabilitation program shall be born by the employee or the employee's health insurance. If the employee refuses to participate in such a program he/she will be suspended pending a full investigation into the suspected abuse. If the investigation determines abuse does in fact exist the employee will be disciplined up to and including dismissal, after given another opportunity to engage in an abuse program.

The County has an established Substance Abuse Counseling Center, which has available confidential professional level counseling in both the alcohol and other drug abuse areas, to assist those employees who voluntarily seek help for their alcohol or other drug related problems. Employees should contact their supervisors or the Counseling Center for additional information.

The County is committed to providing necessary training of work place supervisors in the recognition of alcohol and other drug abuse by employees.

#### IV. APPLICATION

This policy applies to all officers, employees, and volunteers of and to all applicants for positions with the County. This policy applies to alcohol and to all other substances, drugs, or medications, legal or illegal, which could impair an employee's ability to effectively and safely, perform the functions of the job.

## EMPLOYEE RESPONSIBILITIES

The responsibility of each County employee under this policy is:

- A. Not report to work or be on designated standby while his/her ability to perform job duties is impaired due to on or off duty alcohol or other drug use;
- B. Not possess or use alcohol or impairing drugs (illegal drugs and prescription drugs without a prescription) during working hours or while in uniform.
- C. Not use any substance, legal or illegal, during breaks or meal periods to such an extent that upon returning to work the employees work performance is impaired;
- D. Not operate a vehicle on County business after having consumed alcohol or illegal drugs. It is recommended that an employee notify his/her supervisor, before beginning work, when taking any medications, prescription or non-prescription, which may interfere with the safe and effective performance of duties or operation of County equipment.
- E. Provide, within 24 hours of request, bona fide verification of a current valid prescription for any potentially impairing drug or medication. The prescription must be in the employees name;
- F. Notify his/her supervisor of any criminal drug statute conviction for a violation occurring in the work place no later than five (5) days after such a conviction. (This is mandated by the Drug Free Work Place Act of 1988, Sub part 23.5 (23.504, (II))).

## V. COMPLIANT/REFERRAL PROCEDURE

Whenever there is an indication of job impairment, employees shall immediately advise the closest level supervisor not a part of the problem. Employees may also contact the Personnel Department. In all cases, the complainants are urged to give a written account of all allegations and observations. The Personnel Officer is available to discuss inquiries, formal and informal complaints and appropriate solutions.